

**LEGISLATIVE SERVICES AGENCY  
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**FISCAL IMPACT STATEMENT**

**LS 6414**

**BILL NUMBER:** SB 232

**NOTE PREPARED:** Dec 10, 2014

**BILL AMENDED:**

**SUBJECT:** Use of Money in the Jail Commissary Fund.

**FIRST AUTHOR:** Sen. Smith J

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill provides that money in the jail commissary fund may be disbursed upon appropriation by the county fiscal body. (Current law allows such money to be disbursed without appropriation.)

It deletes a provision in current law specifying that certain money from the jail commissary fund must be supplemental or in addition to, rather than a replacement for, regular appropriations. It also provides that expenditures from the jail commissary fund for animals may be made only for law enforcement animals.

The bill specifies that the county treasurer, rather than the sheriff, maintains the fund in a designated depository.

**Effective Date:** July 1, 2015.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** *Summary* - The fiscal impact of the bill will depend on the decisions of the county fiscal body in appropriating funds. The bill transfers control of the sheriff's commissary fund from the sheriff or the sheriff's designee to the county treasurer.

**Additional Information** - The commissary fund is used for operations of a commissary, which provides merchandise for resale to inmates. Money in the fund may also be used to supplement regular funding for special training, equipment, certain activities, sex and violent offender registry, and other purposes that benefit the sheriff's department. The bill would remove requirements that the fund is supplemental or in addition to regular funding of these functions.

The average annual expenditures and ending balances of sheriff's commissary funds statewide are shown in the table below. As presented, the average expenditures have increased between 2011 and 2013 by 6.2%, and the average ending balance has increased about 14.5%.

CY	No. Reporting	Expenditures		Ending Balance	
		Average	Range	Average	Range
2011	77	\$173,239	\$6,558 - \$1,473,906	\$62,232	\$273 - \$569,325
2012	78	176,388	0 - 1,273,039	68,424	2,786 - 558,052
2013	78	183,946	0 - 1,748,268	71,231	0 - 621,461
Source: County Annual Financial Reports accessed at the Indiana Gateway for Government on December 2, 2014.					

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Sheriff, county treasurer, county fiscal body.

**Information Sources:** Gateway for Government.

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